

### Remarks

In view of the above amendments and the following remarks, reconsideration of the objection and rejections, and further examination are requested.

A number of editorial amendments have been made to the specification and abstract. It is submitted that no new matter has been added to the application via such amendments.

Further, claims 1-10 have been amended to make a number of editorial revisions thereto. These editorial revisions have been made to place the claims in better U.S. form. None of these editorial revisions have been made to narrow the scope of protection of the claims, or to address issues related to patentability, and therefore, these editorial revisions should not be construed as limiting the scope of equivalents of the claimed features offered by the Doctrine of Equivalents.

The drawings are objected to for failing to illustrate print content description data indicating (1) a plurality of images arranged in a sheet to be printed, (2) each of the plurality of image is printed at a number of pixels smaller than a predetermined number of pixels, and (3) the plurality of images are different from one another. This objection is respectfully traversed for the following reasons.

Regarding the objection, it is noted that the description of Figure 6 at page 18, line 24 – page 19, line 2 of the original specification specifically recites:

“In general, plural small images are arranged in a regular order in the case of printing an index print, as shown in FIG. 1. Therefore, when the content analysis unit 202 analyzes that the print content description data indicates that the images of the same number of pixels which is smaller than the predetermined number of pixels are placed in a lattice-like arrangement, the content determination unit 203a judges that the print content description data is a content for index print, and determines to prioritize a speed of processing image data rather than a quality of the images at the time of printing (Yes in S1).” (Emphasis added).

Based on this section of the specification, it is apparent that step S1 of Figure 6 does illustrate the features recited in claim 3. Further, Figure 1 illustrates that the index print is made up of a number of different images. Therefore, Figures 1 and 6 illustrate the features recited in claim 4. As a result, withdrawal of the objection to the figures is respectfully requested.

Claim 10 has been rejected under 35 U.S.C. §101 as being directed to non-patentable subject matter. Claim 10 has been amended based on the recommendation set forth in the rejection. As a result, withdrawal of the rejection under 35 U.S.C. §101 is respectfully requested.

Claims 1-7, 9 and 10 have been rejected under 35 U.S.C. §102(e) as being anticipated by Hara (US 7,009,728).

Claims 1, 9 and 10 have been amended so as to further distinguish the present invention, as recited therein, from the references relied upon in the rejection. As a result, the rejection is submitted to be inapplicable to the claims for the following reasons.

Claim 1 is patentable over Hara, since claim 1 recites a printing apparatus which receives, from an external apparatus, print content description data including information on a layout of an image described in a print content description language, the printing apparatus including, in part:

a priority decision unit operable to decide whether to prioritize a quality of the image at a time of printing or a speed of processing of image data of the image, based on the print content description data including information on layout instructions for printing the image, the print content description data being transmitted from the external apparatus and received by the printing apparatus; and

a print data generation unit operable to generate print data for causing the printing apparatus to print data including the image, based on (1) the print content description data, (2) the decision made by the priority decision unit, and (3) the image data that is obtained from the external apparatus when the image data of the image laid out based on one of the layout instructions that is included in the print content description data is located outside of the printing apparatus. Hara fails to disclose or suggest a priority decision unit and a print data generation unit that use print content description data transmitted from an external apparatus as recited in claim 1.

Hara discloses an image printer system 1 for reproducing digital images. During the operation of the image printer system 1, a menu of services provided by the image printer system 1 is displayed to a user. These services include (1) All-image print (a mode to print out all images on a recording medium), (2) Specified image print (a mode to print out individual images from the recording medium), (3) Index print (a mode to perform index printing), and (4) Image synthesis (a mode to perform image synthesis). Once the user selects one of the services from the menu via a touch panel on the image printer system 1, the image printer system 1 will perform the selected service. (See column 5, lines 8-56 and Figures 1 and 5).

For example, when the user selects option (4) Image synthesis, the image printer system 1 enters the image synthesis mode and follows a preset operational sequence. First, the image

printer system 1 requires the user to select a multi-image creation mode or a template synthesis mode via the touch panel and then enters the appropriate routine depending on the selection. If the multi-image creation mode is selected, the image printer system 1 initially requires the user to select the type of multi-image configuration to be created. The image printer system 1 then prompts the user to select multiple images to print and the selected images are enlarged and displayed. If the user is satisfied with the selected images, the image printer system 1 then converts the resolution of the selected images to reduce their size and align them, and creates multi-image data. The multi-image data is then displayed as a preview, and if the user is satisfied with the amount to be charged, the user presses the 'OK' button on the image printer system 1 and the image printer system 1 prints the multi-image data. (See column 11, line 51 – column 12, line 19 and Figure 10).

In the rejection, the selection by the user of option (1) All-image print or option (2) Specified image print is relied upon as corresponding to the prioritization of the quality of the image by the claimed priority decision unit and the selection by the user of option (3) Index print or option (4) Image synthesis is relied upon as corresponding to the prioritization of the speed of processing of the image data by the claimed priority decision unit. However, as is clearly set forth in the above description of the image printer system 1 of Hara, the decision of which of options (1) – (4) of the image printer system 1 is selected is determined solely by the user via the touch screen. On the other hand, the claimed priority decision unit decides whether to prioritize the quality of the image or the speed of processing of image data of the image, based on the print content description data including information on layout instructions for printing the image, the print content description data being transmitted from the external apparatus and received by the printing apparatus. It is apparent that the image printer system 1 does not make a decision of which of options (1) – (4) is selected based on print content description data including information on layout instructions for printing the image transmitted from an external apparatus. As a result, Hara fails to disclose or suggest the claimed priority decision unit.

Further, since Hara fails to disclose or suggest the print content description data transmitted from an external apparatus, it is apparent that the image printer system 1 necessarily also fails to generate print data for causing the printing apparatus to print data including the image, based on (1) the print content description data, (2) the decision made by the priority decision unit, and (3) the image data that is obtained from the external apparatus when the image

data of the image laid out based on one of the layout instructions that is included in the print content description data is located outside of the printing apparatus. Therefore, Hara also fails to disclose or suggest the claimed print data generation unit. As a result, claim 1 is patentable over Hara.

As for claims 9 and 10, they are patentable over Hara for reasons similar to those set forth above in support of claim 1.

Claim 8 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Hara in view of JP 2000-059635.

As for JP 2000-059635, it is relied upon as disclosing the generation of print data based on the decoding of only DC components of image data. However, it is apparent that JP 2000-059635 fails to address the deficiencies of Hara set forth above in the discussion of claim 1. As a result, claim 8 is patentable over the combination of Hara and JP 2000-059635 at least based on its dependency from claim 1.

Because of the above-mentioned distinctions, it is believed clear that claims 1-10 are allowable over the references relied upon in the rejections. Furthermore, it is submitted that the distinctions are such that a person having ordinary skill in the art at the time of invention would not have been motivated to make any combination of the references of record in such a manner as to result in, or otherwise render obvious, the present invention as recited in claims 1-10. Therefore, it is submitted that claims 1-10 are clearly allowable over the prior art of record.

In view of the above amendments and remarks, it is submitted that the present application is now in condition for allowance. The Examiner is invited to contact the undersigned by telephone if it is felt that there are issues remaining which must be resolved before allowance of the application.

Respectfully submitted,

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